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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,585	03/29/2001	James N. Andrews	AUS8-2001-0148-US1	7109
7590	06/13/2005			EXAMINER
Frank C. Nicholas				WOZNIAK, JAMES S
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1603 Orrington Avenue, Suite 2000				
Evanston, IL 60201				
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/820,585	ANDREWS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	James S. Wozniak	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 January 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-15 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 3/29/2001 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. <u>4/21/2005</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                     |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____.   |

## DETAILED ACTION

### *Response to Amendment*

1. In response to the office action from 10/22/2004, the applicant has submitted an amendment, filed 1/26/2005, amending Claims 1, 6, and 11, while arguing to traverse the art rejection based on the limitation regarding the generation of a “target manifest” and a comparison of the source manifest and a target manifest (*Amendment, Page 12*). Applicant's arguments have been fully considered, however the previous rejection is maintained due to the reasons listed below in the response to arguments.

### *Response to Arguments*

2. Applicant's arguments have been fully considered but they are not persuasive for the following reasons:

With respect to **Claims 1, 6, and 15**, the applicant argues that Hinks et al (*U.S. Patent: 5,678,039*) in view of Murrow et al (*U.S. Patent: 5,664,206*) teaches away from the need to generate a “target manifest,” however the examiner points out that the translation table taught by Hinks merely provides a means for displaying a list of source language files so that a translation can be carried out by a translator using an editor (*Col. 3, Lines 6-34*). There is no mention in Hinks that a list of target string translations cannot be used as a replacement for the editor's translation. Thus, Hinks does not teach away from such a limitation, however the examiner does

agree that this limitation is not taught by Hinks and, as noted in the prior office action, Murrow is relied upon to provide a teaching for this limitation.

Murrow teaches a localization kit (*Col. 15, Line 62- Col. 16, Line 8*) containing a list of target translation text associated text with items of a source language list (*Col. 12, Lines 22-62*). The use of this centrally constructed localization kit provides the benefit of improving translation accuracy and consistency (Murrow, Col. 2, Lines 39-46), an improvement over the manual translation taught by Hinks since translators at different locations may produce slightly differing translation results. Further, after a translation is applied Hinks teaches the comparison of original and translated strings to determine a translation progress amount (*Col. 11, Lines 51-67, Fig. 7, Element 705, and Fig. 10C*). Finally translated text is only merged back into the computer program only when a translation is complete (Col. 8, Lines 14-23). Thus, Hinks in view of Murrows teaches all of the limitations of Claims 1, 6, and 15.

The examiner also points out that the prior art of record does not teach that source and target control files are generated in a java archive format (JAR). A claim amendment containing this JAR type of generated control file may overcome the prior art of record.

The dependent claims are argued as further limiting rejected independent claims, and thus, also remain rejected.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 2, 6, 7, 11, and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinks et al (*U.S. Patent: 5,678,039*) in view of Murrow et al (*U.S. Patent: 5,664,206*).

With respect to **Claims 1, 6, and 11**, Hinks discloses:

Generating a control file including one or more one source language files of the human language text in the source language and a source manifest listing the source language files (*list of subroutine files within a computer program file, each having an associated text string representation, Col. 12, Lines 24-49, and Fig. 8A, Elements, 823 and 827*);

Distributing the control file (*distributing subroutine files and associated text string representations of the computer program into a string editor table, Fig. 8A*);

Comparing the source manifest and the target manifest (*comparing original and translated text columns to determine a translation progress amount, Col. 11, Lines 51-67, Fig. 7, Element 705, and Fig. 10C*);

Accepting the translation file when a comparison of the source manifest and the target manifest collectively indicate a complete translation of the human language text from the source language to the target language; and rejecting the translation file when a comparison of the source manifest and the target manifest collectively indicate an incomplete translation of the human language text from the source language to the target language (*merging translated text back into a computer program only when a translation is complete, Col. 8, Lines 14-23, and translation progress status, Col. 11, Lines 51-67, and Fig. 7, Element 705*).

A computer readable medium containing a program capable of performing the above method (*Col. 32, Lines 47-48*).

Hinks does not specifically suggest receiving a target translation file, however Murrow discloses receiving a localization kit, which features a machine translation means used to generate a localized text file (*Col. 15, Line 62- Col. 16, Line 8*).

Hinks and Murrow are analogous art because they are from a similar field of endeavor in software localization. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hinks with the localization kit featuring a machine generated translation file as taught by Murrow to improve translation accuracy and consistency (*Murrow, Col. 2, Lines 39-46*) by substituting the localization kit machine generated translation taught by Murrow for the manual translation taught by Hinks in the translation string editor table.

With respect to **Claims 2, 7, and 12**, Hinks further discloses:

Communicating an acceptance or a rejection of the translation file (*merging translated text back into a computer program only when a translation is complete, Col. 8, Lines 14-23, and a translation progress status indicator which would inherently notify a user of acceptance through a 100% translation status indication, Col. 11, Lines 51-67, and Fig. 7, Element 705*).

5. **Claims 3-5, 8-10, and 13-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinks et al in view of Murrow et al, and further in view of Stone et al (*U.S. Patent: 6,092,037*).

With respect to **Claims 3, 8, and 13**, Hinks in view of Murrow teaches the software localization method, system, and computer readable medium utilizing a localization kit, as applied to Claims 1, 6, and 11. Hinks in view of Murrow does not teach a process for validating a translation file by determining compatibility, however, Stone recites:

Comparing each target language file with a corresponding source language file (*comparing a source file to a macro containing translation text, Col. 6, Lines 1-30*);  
Validating an acceptance of the translation file when each target language file is compatible with a corresponding source language file (*verify format, Col. 6, Lines 1-30*); and  
Invalidating an acceptance of the translation file when one of the target language files is incompatible with a corresponding source language file (*verify format, Col. 6, Lines 1-30 including an inherent instance wherein the correct translation file format is not verified*).

Hinks, Murrow and Stone are analogous art because they are from a similar field of endeavor in software localization. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hinks in view of Murrow with the translation file validation method taught by Murrow to ensure that applying a translation file will not cause a computer program to malfunction due to an incorrect file format.

With respect to **Claim 4, 9, and 14**, Stone additionally discloses:

Communicating a validation or an invalidation of an acceptance of the translation file (*translation error condition notification, Col. 6, Lines 59-65*).

With respect to **Claim 5, 10, and 15**, Stone additionally discloses:

Facilitating access to the translation file by a source code control system when the acceptance of the translation file is validated (*applying a translation file upon verification, Col. 6, Lines 1-50*).

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632 and email is James.Wozniak@uspto.gov. The examiner can normally be reached on Mondays-Fridays, 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached at (571) 272-7582. The fax/phone number for the Technology Center 2600 where this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 306-0377.

James S. Wozniak  
5/26/2005



W. R. YOUNG  
PRIMARY EXAMINER